

BILL NO. G-92-06-1D

GENERAL ORDINANCE NO. Lost.

AN ORDINANCE ESTABLISHING
A CUMULATIVE CAPITAL
DEVELOPMENT FUND FOR THE
CITY OF FORT WAYNE.

WHEREAS, in 1984 the Indiana General Assembly adopted legislation authorizing the establishment of a municipal Cumulative Capital Development Fund; and,

WHEREAS, the General Assembly authorized the establishment of said Funds, at least in part, to allow local governments to compensate for the decline of federal General Revenue Sharing; and,

WHEREAS, pursuant to I.C. 36-9-15.5-2, the Common Council of the City of Fort Wayne may establish a Cumulative Capital Development Fund to provide monies for various capital expenditures for which the City currently has the authority to impose property taxes; and,

WHEREAS, the City of Fort Wayne, pursuant to Ordinance G-24-92, annually prepares a five-year Capital Improvements Program; and,

WHEREAS, the City of Fort Wayne has a need to establish a reliable and ongoing revenue stream for the lease, purchase and construction of public safety vehicles, equipment and facilities; and,

WHEREAS, for several years the Civil City operating budget has not been able to provide adequate funding to maintain the public safety departments with acceptable fleet rotation programs; and,

WHEREAS, the Common Council has provided public notice of its consideration of this ordinance, as required by I.C. 36-9-15.5-3; and,

WHEREAS, the Common Council, on _____, conducted a public hearing on the proposal to establish a Cumulative Capital Development Fund, as required by I.C. 36-9-15.5-3; and

1 WHEREAS, upon completion of said hearing and
2 consideration of the information presented to the Common
3 Council, the Council has determined that the
4 establishment of a Cumulative Capital Development Fund
5 for the City of Fort Wayne is in the best interests of
6 the City.

7 NOW, THEREFORE, BE IT ORDAINED BY THE COMMON
8 COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

9 SECTION 1. That there is hereby established a
10 Cumulative Capital Development Fund for the City of Fort
11 Wayne, Indiana, for the years 1993 through 1995. The
12 Fund shall be created commencing January 1, 1993, and
13 shall remain in effect for three (3) years immediately
14 thereafter.

15 SECTION 2. That the maximum levy for said
16 Fund, subject to Common Council approval during the
17 annual budget adoption, shall be five cents (\$.05) per
18 One Hundred Dollars (\$100.00) of assessed valuation in
19 1993; ten cents (\$.10) per One Hundred Dollars (\$100.00)
20 of assessed valuation in 1994; and fifteen cents (\$.15)
21 per One Hundred Dollars (\$100.00) of assessed valuation
22 in 1995.

23 SECTION 3. That the Fund shall be used
24 exclusively for the following purposes:

- 25 a) To purchase, lease or pay all or part of the
26 purchase price of motor vehicles for the use
27 of the public safety departments, including
28 fire fighting vehicles with the necessary
29 equipment; as set forth in I.C. 36-9-16-3(8).
30 b) The purchase, construction, renovation and
31 maintenance of buildings used by the public
32 safety departments; as set forth in
I.C. 36-9-16-2.
c) For the purposes outlined in I.C. 36-9-16-2 to
acquire land; demolish improvements thereon;

to level grade, grade and prepare the land for construction; to acquire land or right-of-way for ingress and egress purposes; and to construct any public way or other means of ingress or egress to land acquired; all related to the construction of public safety facilities.

d) The making of required payments under a lease with option to purchase agreement for fire fighting equipment; as set forth in I.C. 36-8-14-4(c)(2).

e) The purchase of police radio equipment, as set forth in I.C. 36-8-14-4(c)(3).

f) To retire in whole or in part, any general obligation bonds of the City that were issued for the purpose of acquiring or constructing public safety facilities; as set forth in I.C. 36-8-16-3(9).

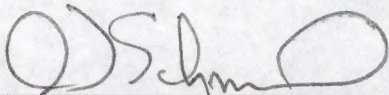
SECTION 4. That a special fund, to be known as the Cumulative Capital Development Fund, be established and that all tax monies collected from the levy described in Section 2 shall be deposited therein. Monies held in the Cumulative Capital Development Fund shall not be expended for any purpose other than those set forth in Section 3 of this Ordinance, or for emergency purposes as set forth in I.C. 36-9-15.5-8(c). Expenditures from the Cumulative Capital Development Fund may be made only after an appropriation is made by the Common Council, unless in the case of an emergency as provided in I.C. 36-9-15.5-8(c).

SECTION 5. That the City Clerk is hereby instructed to take such steps as are necessary to implement this fund as set forth in I.C. 36-9-15.5-4, including, but not limited to, notifying the State Board of Tax Commissioners of the adoption of this Ordinance

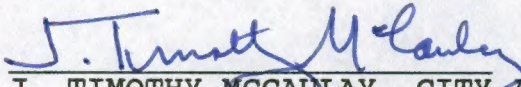
1 and causing notice of the adoption of this Ordinance to
2 be published as directed by the State Board of Tax
3 Commissioners.

4 SECTION 6. That the County Auditor shall
5 submit the names of remonstrators to the State Board of
6 Tax Commissioners should fifty (50) or more remonstrators
7 file such a petition setting forth their objections
8 within thirty (30) days after publication of the adoption
9 this Ordinance. In the event no petition of remonstrance
10 is filed, a certification of non-remonstrance shall be
11 filed with the State Board of Tax Commissioners.

12 SECTION 7. That this Ordinance shall be in
13 full force and effect from and after its passage and any
14 and all necessary approval by the Mayor.

15 
16 _____
Council Member

17 APPROVED AS TO FORM
18 AND LEGALITY

19 
20 J. TIMOTHY MCCAULEY, CITY ATTORNEY
21
22
23
24
25
26
27
28
29
30
31
32

Vote to reconsider bill # G 92-06-18

Read the first time in full and on motion by _____,
seconded by _____, and duly adopted, read the second time by
title and referred to the Committee on _____ (and the
City Plan Commission for recommendation) and Public Hearing to be held after
due legal notice, at the Common Council Conference Room 128, City-County
Building, Fort Wayne, Indiana, on _____, the _____, day
of _____, 19_____, at _____ o'clock _____ M., E.S.T.

DATED: _____

SANDRA E. KENNEDY, CITY CLERK

motion to reconsider

Read the third time in full and on motion by Helms,
seconded by _____, and duly adopted, placed on its passage.
~~PASSED~~ - LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	3	4		
BRADBURY		✓		
EDMONDS		✓		
GIAQUINTA		✓		
HENRY		✓		
LONG		✓		
LUNSEY	✓			
RAVINE	✓			
SCHMIDT		✓		
TALARICO	✓			

DATED: 8-11-92

SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne,
Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL)

(SPECIAL) (ZONING) (ORDINANCE) RESOLUTION NO. _____

on the _____ day of _____, 19____

ATTEST:

(SEAL)

SANDRA E. KENNEDY, CITY CLERK

PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on

the _____ day of _____, 19____,

at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____,

19____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR

Read the first time in full and on motion by Selma, and duly adopted, read the second time by title and referred to the Committee on the Committee of the City (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Common Council Council Conference Room 128, City County Building, Fort Wayne,, Indiana, on _____, 19____, the _____ day of _____ M.,E.S.T.

DATED: 6-23-92 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Read the third time in full and on motion by Selma, and duly adopted, placed on its passage. ~~PASSED~~ LOST by the following vote:

	AYES	NAYS	ABSTAINED	ABSENT
TOTAL VOTES	4	2		3
BRADBURY				✓
EDMONDS	✓			
GiaQUINTA				✓
HENRY				✓
LONG		✓		
LUNSEY	✓			
RAVINE	✓			
SCHMIDT		✓		
TALARICO	✓			

DATED: 7-28-92 Sandra E. Kennedy
SANDRA E. KENNEDY, CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ANNEXATION) (APPROPRIATION) (GENERAL) (SPECIAL) (ZONING) ORDINANCE RESOLUTION NO. _____ on the _____ day of _____, 19____

ATTEST: (SEAL) _____
SANDRA E. KENNEDY, CITY CLERK PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

SANDRA E. KENNEDY, CITY CLERK

Approved and signed by me this _____ day of _____, 19____, at the hour of _____ o'clock _____ M., E.S.T.

PAUL HELMKE, MAYOR



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ROOM 122 • FORT WAYNE, INDIANA 46802 • 219-427-1208

SANDRA E. KENNEDY, CITY CLERK

June 25, 1992

Ms. Connie Lambert
Fort Wayne Newspapers, Inc.
600 West Main Street
Fort Wayne, IN 46802

Dear Ms. Lambert:

Please give the attached full coverage on the dates of
June 29 & July 6, 1992, in both the News Sentinel and
Journal Gazette.

RE: Legal Notice for Common Council
of Fort Wayne, IN

Bill No. G-92-06-18
Cumulative Capital Development Fund

Please send us 4 copies of the Publisher's Affidavit from
both newspapers.

Thank you.

Sincerely yours,

Sandra E. Kennedy
City Clerk

SEK/NE
ENCL: 1

NOTICE OF A PUBLIC HEARING
BY THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE
REGARDING BILL NO. G-92-06-18

Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana, will conduct a public hearing on Tuesday, July 14, 1992, at 7:00 P.M., in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana on the following:

AN ORDINANCE ESTABLISHING A
CUMULATIVE CAPITAL DEVELOPMENT FUND
FOR THE CITY OF FORT WAYNE

It will provide for the establishment of a Cumulative Capital Development Fund; pursuant to the provisions of I.C. 36-9-15.5-2 and subsequent approval by the Indiana Board of Tax Commissioners. It would provide an additional or alternative source of funding for public safety equipment, facilities and vehicles; not to exceed \$.05 per \$100 av in 1993, \$.10 per \$100 av in 1994 and \$.15 per \$100 av in 1995.

FORT WAYNE COMMON COUNCIL

A handwritten signature in cursive script, reading "Sandra E. Kennedy".

Sandra E. Kennedy
City Clerk

more to consider
at next regular
scheduled meeting

10. August

11th -

Steve King

Bill # 800

G-92-06-18

cc.

DIGEST SHEET

TITLE OF ORDINANCE GENERAL

DEPARTMENT REQUESTING ORDINANCE CONTROLLER'S OFFICE

SYNOPSIS OF ORDINANCE PROVIDES FOR THE ESTABLISHMENT OF A CUMULATIVE CAPITAL DEVELOPMENT FUND; PURSUANT TO THE PROVISIONS OF I.C. 36-9-15.5-2 AND SUBSEQUENT APPROVAL BY THE INDIANA BOARD OF TAX COMMISSIONERS. WOULD PROVIDE AN ADDITIONAL OR ALTERNATIVE SOURCE OF FUNDING FOR PUBLIC SAFETY EQUIPMENT, FACILITIES AND VEHICLES; NOT TO EXCEED \$.05 PER \$100 AV IN 1993, \$.10 PER \$100 AV IN 1994 AND \$.15 PER \$100 AV IN 1995.

G-92-06-18

EFFECT OF PASSAGE ALLOWS PRESENTATION OF ORDINANCE TO THE BOARD OF TAX COMMISSIONERS.

EFFECT OF NON-PASSAGE REMOVES ABILITY OF THE CITY TO CONSIDER THE CUMULATIVE CAPITAL DEVELOPMENT IN 1993.

MONEY INVOLVED (DIRECT COSTS, EXPENDITURES, SAVINGS) TO BE DETERMINED DURING ADOPTION OF 1993, 1994 AND 1995 CIVIL CITY BUDGETS.

TO COMMITTEE (PRESIDENT) _____

BILL NO. G-92-06-18

Failed

REPORT OF THE COMMITTEE ON
THE COMMITTEE OF THE WHOLE

DONALD J. SCHMIDT, CHAIR
CLETUS R. EDMONDS, VICE CHAIR
ALL COUNCIL MEMBERS

WE, YOUR COMMITTEE ON THE COMMITTEE OF THE WHOLE TO WHOM WAS
REFERRED AN (ORDINANCE) (~~RESOLUTION~~) establishing a
Cumulative Capital Development Fund for the City of Fort Wayne

HAVE HAD SAID (ORDINANCE) (~~RESOLUTION~~) UNDER CONSIDERATION
AND BEG LEAVE TO REPORT BACK TO THE COMMON COUNCIL THAT SAID
(ORDINANCE) (~~RESOLUTION~~)

DO PASS

DO NOT PASS

ABSTAIN

NO REC

C.R. Edmonds
Cletus R. Edmonds
Paul J. Tansie
Sam J. Talarico

D. Schmidt

David Long

DATED: *8-11-92.*

Sandra E. Kennedy
City Clerk

FW Common Council
(Governmental Unit)

To:

The Journal-Gazette

Dr.

P.O. Box 100

Fort Wayne, IN

County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

25 lines, 1 columns wide equals 25 equivalent lines
at .495 cents per line\$ 12.38Additional charge for notices containing rule or tabular work
(50 percent of above amount)

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

2.00

TOTAL AMOUNT OF CLAIM

\$ 14.38

DATA FOR COMPUTING COST

Width of single column 12.5 emsNumber of insertions 2Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: July 6, 19 92Title: Cindy Gillenwater Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/she is Clerk of the The Journal-Gazette newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time 6/29/92 7/6/92, the dates of publication being as follows:

Subscribed and sworn to before me this 6th day of July, 19 92Anne M Perkins
Notary Public ALLEN COUNTY IND
ANNE M PERKINSMy commission expires: November 29, 1993NOTICE OF A PUBLIC HEARING
BY THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE

REGARDING BILL NO. NO. G-92-06-18
Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana, will conduct a public hearing on Tuesday, July 14, 1992, at 7:00 P.M., in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana on the following:
AN ORDINANCE ESTABLISHING A CUMULATIVE CAPITAL DEVELOPMENT FUND FOR THE CITY OF FORT WAYNE
which will provide for the establishment of a Cumulative Capital Development Fund; pursuant to the provisions of I.C. 36-9-15.5-2 and subsequent approval of the Indiana Board of Tax Commissioners. It would provide an additional or alternative source of funding for public safety equipment, facilities and vehicles; \$1.00 per \$100 av in 1993, \$0.10 per \$100 av in 1994 and \$0.15 per \$100 av in 1995.
FORT WAYNE COMMON COUNCIL
Clerk E. Kennedy
29/7-6

FW Common Council
(Governmental Unit)

To:

The News-Sentinel

Dr.

P.O. Box 100

Fort Wayne, IN

County, Indiana

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of type in which the body of the advertisement is set)
-- number of equivalent lines

Head -- number of lines

Body -- number of lines

Tail -- number of lines

Total number of lines in notice

COMPUTATION OF CHARGES

25 lines, 1 columns wide equals 25 equivalent lines
at .495 cents per line

\$ 12.38

Additional charge for notices containing rule or tabular work
(50 percent of above amount)

2.00

Charge for extra proofs of publication (\$1.00 for each proof in excess of two)

TOTAL AMOUNT OF CLAIM

\$ 14.38

DATA FOR COMPUTING COST

Width of single column 12.5 ems

Number of insertions 2

Size of type 6 point

Pursuant to the provisions and penalties of Chapter 155, Acts 1953,

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date: July 6, 19 92

Title:

Clerk

PUBLISHER'S AFFIDAVIT

State of Indiana)

) ss:

Allen County)

Personally appeared before me, a notary public in and for said county and state, the undersigned Cindy Gillenwater who, being duly sworn, says that he/ she is Clerk of the The News-Sentinel, newspaper of general circulation printed and published in the English language in the (city) (town) of Fort Wayne, IN in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for 2 time, the dates of publication being as follows:

6/29/92 7/6/92

Subscribed and sworn to before me this 6th day of July, 19 92Notary Public ALLEN COUNTY IND
ANNE M PERKINS

My commission expires: November 29, 1993

NOTICE OF A PUBLIC HEARING
BY THE COMMON COUNCIL
OF THE CITY OF FORT WAYNE
REGARDING BILL NO. NO. G-92-06-18
Notice is hereby given that the Common Council of the City of Fort Wayne, Indiana, will conduct a public hearing on Tuesday, July 14, 1992, at 7:00 P.M., in the Common Council Conference Room 128, City-County Building, One Main Street, Fort Wayne, Indiana on the following:
AN ORDINANCE ESTABLISHING A CUMULATIVE CAPITAL DEVELOPMENT FUND FOR THE CITY OF FORT WAYNE
which will provide for the establishment of a Cumulative Capital Development Fund; pursuant to the provisions of I.C. 36-9-15.5-2 and subsequent approval by the Indiana Board of Tax Commissioners. It would provide an additional or alternative source of funding for public safety equipment, facilities and vehicles; not to exceed \$.05 per \$100 av in 1993, \$.05 to \$.10 per \$100 av in 1994 and \$.05 to \$.15 per \$100 av in 1995.
CITY OF FORT WAYNE COMMON COUNCIL
Andrea E. Kennedy
City Clerk
7-29/7-92